

Form 1
(Section 487 Criminal Code)
Information to Obtain a Search Warrant

Canada,
Province of Alberta,
Judicial District of Calgary.

This is the information of Constable James Edward McConnell, a Peace Officer and member of the Royal Canadian Mounted Police (the informant) taken before me.

The offence:

The informant says that he has reasonable grounds to believe and does believe that:

Trevor Kloschinsky born on September 27th 1965 has committed the offence of

Murder Section 235 of the Criminal Code

The thing(s) to be searched for:

DNA, Blood, Hair, Rubber matt, Fire extinguisher, Sledgehammer, Cellular telephone, Glasses, Hand cuffs, Chains, pole used for catching dogs, and a Dog Cage.

The location:

A dwelling house and rural property situated at 162061 Priddis Valley Road, Municipal District of Foothills #31, Alberta. Legal Land Address of NW 26-22-3 WM5

Introduction:

1. I am a Peace Officer of the Royal Canadian Mounted Police (RCMP) and have been since February 27th 2006. I am currently stationed in Calgary, Alberta, holding the rank of Constable (Cst).
2. I believe that information contained in this affidavit is the truth.
3. Unless otherwise stated all of the events that are mentioned have occurred in the Hamlet of Priddis or the City of Calgary in the Province of Alberta.
4. As a part of my duties with the RCMP I have been trained in the use and applications of various police computer databases. I have used the following databases while investigating this incident:
 - a. Canadian Police Information Centre (CPIC). CPIC is a Canadian police database that contains information including criminal records and

information pertaining to criminal activity. This database is capable of accessing the Alberta Registries database. Alberta Registries provides information on driver's license and registered vehicles. The information contained on this database is continuously monitored to ensure the accuracy of the content. Contents includes status of licences, vehicles, warrants for arrests and persons of interest to police. I have found the information contained on this system to be reliable.

- b. Police Reporting and Occurrence System (PROS). PROS is a database utilized by the RCMP to manage investigations. PROS contains police reports and information on the outcome of investigations. This information contained on the database is entered by police officers and other police personnel. I have found the information contained within the reports on this system to be reliable.

Overview:

5. On August 10th 2012, at approximately 10:30 am, a male who identified himself as Trevor Kloschinsky attended the Calgary Police Service (CPS) District Eight Police Station. Mr. Kloschinsky spoke with members of CPS. Mr. Kloschinsky said that he wanted to make a complaint about someone stealing his dogs. Mr. Kloschinsky went on to say that he had caught the person who was trying to steal his dogs and that they were outside.
6. CPS members went outside of the Police Station and saw a white sport utility vehicle with peace officer markings on it (the vehicle). In the back of the vehicle a uniformed male was found handcuffed on his side. The male did not show signs of life. Attempts to restore life to the male were unsuccessful. The male was transported to the Rockyview Hospital in Calgary where he was pronounced dead at 11:26 am. The male was identified with photo identification as Rodney Lazenby a by-law officer.
7. Mr. Kloschinsky was initially detained while members of CPS attempted to determine what happened. Once it was determined that Mr. Lazenby was deceased Mr. Lazenby was arrested for murder.
8. During his initial conversation with the CPS members and subsequent conversations Mr. Kloschinsky has said that he did not see what happened because his face was in the dirt but that he was able to overpower him and handcuff him. Mr. Kloschinsky has said that he 'got a guy who was trying to steal his dogs but that he caught him and brought him' (to the CPS police station).
9. Members of the RCMP went to Mr. Kloschinsky's residence located at 162061 Priddis Valley Road, M.D. of Foothills #31, Alberta. The rural property has several dogs present, there is indications that struggle has occurred in and around a Quonset located on the property. The RCMP members said that there

are the following things on the property: rubber matt, fire extinguisher, sledgehammer, cellular telephone, glasses, a pole used for catching dogs and a dog cage.

Detailed Grounds:

10. On August 10, 2012 I went to the Calgary Police Service's District Eight Police Station located in Calgary Alberta. At 5:10 pm I was present in a meeting with members of the RCMP and CPS. Members of CPS told me in their own words about the occurrence at the District Eight Police Station. The CPS members provided me with copies of their hand written notes. Some of the members typed reports were printed and provided to me in hard copy form, other's were emailed to me.
11. On August 10, 2012 I read CPS Cst Deigner's typed report. I have summarized what Cst Deigner told me during our conversation at 5:10 pm and his typed report as follows:
 - a. On August 10th 2012 he was working at the District Eight Police Station front counter. At 10:30 hrs a male came into the office out of breath. The male said the following:
 - i. He wanted an investigation for dog stealing and that he caught a guy stealing dogs.
 - ii. It happened at the arena in Priddis.
 - iii. His dog was stolen.
 - iv. He said he was tired of dealing with the RCMP.
 - v. He said he caught the guy.
 - vi. He stated in the vehicle you better check on him he looks rough.
 - b. In the parking lot he saw an adult male wearing a Peace Officer uniform in the rear of full marked Peace Officer vehicle. The male looked deceased.
 - c. The male was wearing prescription glasses and had ripped or stretched shirt in the collar area. All of his clothing was dirty.
12. On August 10, 2012 I read CPS Cst Schorn's typed report. I have summarized what Cst Schorn told me during our conversation at 5:10 pm and his typed report as follows:

- a. On August 10th 2012 at 10:30 am, he saw Cst Deigner speaking with a distraught male at the District Eight Police Station. He heard the male say the following:
 - i. The RCMP won't help him and the he is tired of someone stealing his dogs.
 - ii. His dogs were being stolen in Priddis.
 - iii. He "hid out" in the arena and caught the guy stealing his dogs.
 - iv. He "had to take things into his own hands."
 - v. The male that was stealing his dogs was out front.
 - vi. He brought the male to the police station and he in a GMC type of truck.
 - b. In the parking lot he saw a male wearing a uniform in the rear of a marked peace officer vehicle. He shook the body of the male in the back of the vehicle. The male did not respond and appeared to be deceased. The male had handcuff's on and when he checked for a pulse he could not find one.
 - c. He took the male at the counter into an interview room. The male's shirt was either ripped or stretched. His pants and shirt had dirt on them. He had Cst Baker monitor the male.
 - d. He contacted the emergency medical services EMS for both the male in the vehicle and the one that came to the counter.
 - e. He witnessed EMS and members of the Calgary fire department attempt to revive the male that was in the vehicle.
13. On August 10, 2012 I read CPS Cst Delnea's typed report. I have summarized what Cst Delnea told me during our conversation at 5:10 pm and his typed report as follows:
- a. On August 10th 2012 at 10:35 am he was at the District Eight Police Station. He was told to go into an in an interview room with a male who had come to the police station's front counter. He knew that the male came with another male who wasn't in good shape.
 - b. At 10:40 am he spoke with the male. The following is a summary of what the male told him:

- i. His name was Trevor Kloschinsky and was born on September 27th 1965.
- ii. He rambled about having caught a guy with his hands on his dogs.
- iii. The RCMP did not believe him that someone was stealing his dogs.
- iv. He caught someone stealing his dogs today.
- c. He detained Mr. Kloschinsky for the purpose of an investigation. He told Mr. Kloschinsky his rights. Mr. Kloschinsky asked to speak to a lawyer.
- d. Mr. Kloschinsky was examined by EMS.
- e. After being examined by EMS he arrested Mr. Kloschinsky for murder. He provided Mr. Kloschinsky with an opportunity to speak to counsel. Mr. Kloschinsky spoke with counsel.
- f. He and Cst Sauerwein seized Mr. Kloschinsky's clothing. With Mr. Kloschinsky was the following items:
 - i. Car keys for a GM vehicle
 - ii. A silver handcuff key
 - iii. A apple cellular telephone

14. On August 10, 2012 I read CPS Sgt Stanton's typed report. I have summarized what Sgt Stanton told me during our conversation at 5:10 pm and his typed report as follows:

- a. On August 11, 2012 at approximately 10:20 am he heard a complaint at the District Eight Police Station and went to the Police Station.
- b. In the Police Station parking lot was a Foothills Protective Services truck. Inside the vehicle was a male in uniform handcuffed, in a left side-lying position.
- c. The male appeared dirty disheveled with some blood to the rear of his head and a small amount of blood observed below his nose. The victim was not wearing his duty belt and appeared to have been in an altercation.
- d. Calgary Fire members removed the victim from the vehicle and immediately started CPR. Approximately one minute ~~late~~ ^{later} EMS attended the scene and began their lifesaving efforts.

- e. He told Cst Delnea to arrest and move the subject from the front interview room to our holding cell.
- f. Constable Delnea handcuffed the subject and moved him to the holding cell with Cst Diegner. The subject had labored breathing and he requested EMS to attend for him.
- g. He directed Constable Delnea to arrest the male for murder.

15. On August 10, 2012 I read CPS Sgt Killington's typed report. I have summarized what Sgt Killington told me during our conversation at 5:10 pm and her typed report as follows:

- a. On August 10 2012 at approximately 10:37 am she was working at the District Eight Police Station.
- b. In the parking lot of the Police Station she saw sports utility vehicle with the word peace officer written on it.
- c. She saw an adult male wearing a Peace Officer uniform in the rear of the vehicle. The male was handcuffed with two sets of handcuff's and his uniform was dirty. The male did not have a duty belt on.
- d. She looked at a notebook that Cst Pizzolato found in the parking lot. The notebook appeared to have come from the male. The notebook was similar to that of a police officer's notebook. Inside of the notebook were business cards for Rod Lazenby of the M.D. Foothills.
- e. She compared picture identification found with the male being treated by EMS and recognized the person to be Mr. Lazenby. With the identification was two pieces of paper with job descriptions for the M.D. of Foothills number 31.

16. On August 10, 2012 I read CPS Cst Pizzolato's typed report. I have summarized what Cst Pizzolato told me during our conversation at 5:10 pm and his typed report as follows:

- a. On August 10, 2012, he responded to the District Eight Police Station call regarding a need for EMS.
- b. In the public parking lot. There was an M.D of Foothills Peace Officer Yukon marked peace officer vehicle parked in the second space west of the front doors. The hatch was open and EMS and members of the Calgary Fire Department were attempting resuscitation efforts on a Caucasian male victim just to the east side of the vehicle.

- c. The male had a peace officer uniform with no duty belt on. The uniform was dirty like he had been rolling around on a dusty road. The male had dried blood and fresh blood on his nose as well as blood on the back of his head.
- d. There was a officers notebook black in colour beside him on his right side as he lay with his head facing South his feet North. He searched the notebook and saw no entries that seemed recent but found business cards with the name of Rod Lazenby Peace officer based out of High River.
- e. He seized the notebook as well as a cell phone/ blackberry in a black case and some sort of hands free blue tooth device.
- f. He went into the District Eight holding room number 5 and spoke with a disheveled looking Caucasian male with scruffy beard wired rimmed glasses with a brown shirt.
- g. He asked the male what had happened. The male said the following:
 - i. His face was in the dirt and he fought with this guy and managed to get on top of him and handcuff him.
 - ii. The male was conscious when he handcuffed him.
 - iii. The male said he fine and that he overpowered the other male.
- h. He followed the ambulance to the Rockyview General Hospital.
- i. At 11:16 am he and the ambulance arrived at the Rockyview General hospital.
- j. At 11:26 am the attending Physician, Doctor Fauteux declared the male deceased.
- k. He confirmed through CPIC that the male was Rodney Lazenby.
- l. Mr. Lazenby had the following injuries:
 - i. Dried and fresh blood in the nose area.
 - ii. Abrasions to forehead,
 - iii. Mr Lazenby's right knuckles were scratched
 - iv. Both knees had fresh road rash on them.

- v. There was blood coming from the back of his head.
- m. Doctor Fauteux said that Mr Lazenby's skull was still intact and not fractured.
- n. Mr. Lazenby had dry dirt all over his face and head and had clayish dried dirt in his right ear and looked as if he was in a fight.
- o. He seized Mr. Lazenby's clothing.
- p. Mr. Lazenby had two sets of handcuffs on. EMS and the Calgary fire Department cut one chain of one set of handcuffs to effectively do CPR with bolt cutters.

17. On August 10, 2012 I read CPS Cst Walker's typed report. I have summarized what Cst Walker told me during our conversation at 5:10 pm and his typed report as follows:

- a. While the male in custody was being treated by EMS he overheard him say the following:
 - i. "I had a visitor who tried to make me eat dirt but I didn't"
 - ii. "I got a guy trying to steal my dogs but I caught him and brought him here"
 - iii. "I used to live in Priddis but he got the owner to give me a eviction notice three days ago"

18. On August 10, 2012 I read CPS Det Guttridge's typed report. I have summarized what Det Guttridge told me during our conversation at 5:10 pm and his typed report as follows:

- a. He took keys from the effects of Mr. Kloschinsky to the vehicle in the parking lot. He pushed the button on the remote and the vehicle's lights flashed.

19. On August 10th 2012 I spoke with RCMP Cst Joany Paradis. I have summarized what Cst Paradis told me as follows:

- a. She was with RCMP Corporal (Cpl.) Westin when he photographed the vehicle and did a cursory examination.
- b. The interior and exterior of the vehicle was very dusty or dirty. Given the amount of dust or dirt on the vehicle, she said it would be apparent if there

was a struggle in the vehicle because there would be some marks and there was not any.

- c. There are fingerprints on the exterior of the driver's side door and on the tail gate.
- d. There was a dog catching pole in the back seat on the floor.
- e. She and Cpl Westin did not find any weapons or a duty belt.
- f. There is a sticker from a dog cage in the back of the vehicle.
- g. A complete examination of the vehicle is planned for August 11th 2012.

20. On August 10th 2012, Cst Paradis gave me a copy of the photographs taken by Cpl Westin. I looked at these photographs on August 11th 2012.

- a. The vehicle is a GMC made sports utility vehicle. The model is a Yukon.
- b. The words "31M5, Foothills Protective Service" and "Peace Officer" on the vehicle.
- c. There is an "icrate" brand label for a dog crate in the back of the vehicle.

21. On August 10th 2012, I spoke with RCMP Cst Zerr. Cst Zerr told me the following:

- a. On August 10th 2012 at 11:58 am, he received a message that Officer Lazenby was at the District Eight Police Station.
- b. He made phone calls to the 911 Dispatch regarding Officer Lazenby. He was told that Officer Lazenby had not signed in with his dispatch and that the last known location of his vehicle was at 10:33 am while it was northbound on highway two at Heritage Point.
- c. He and other members of the Turner valley detachment came to the conclusion that Lazenby's last location was likely the residence of Trevor Kloschinsky located at 162061 Priddis Valley Road M.D. (Municipal District) of Foothills #31.
- d. He and the other members came to the conclusion because there may have been an email sent to the members regarding a rabid dog and that it was being followed up by Officer Lazenby.
- e. On August 10th 2012, at 12:10 pm he and RCMP Sgt Ross and Cst Vanderrick arrived at 162061 Priddis Valley Road M.D. (Municipal District) of Foothills #31.

- f. There is a Quonset, camper, house, and several vehicles and farm equipment on the property.
- g. There was no one on the property.
- h. At 12:17 pm John Eckers drove by the property and asked him if he was looking for Trevor Kloschinsky and told him that Kloschinsky was living alone in the Quonset.
- i. The bay door of the Quonset bay door and man door were open.
- j. There were several dogs in the Quonset that were in kennels.
- k. Outside of the Quonset he saw a dog cage with a multi colored cellular telephone, a fire extinguisher, a rubber matt. He recognized the dog cage and rubber matt as one that he had seen before in Officer Lazenby's vehicle.
- l. Through the open bay door of the Quonset he could see drag marks. The marks were next a sledgehammer that had an end similar to an axe. There was a pair of broken eye glasses next to the drag marks.
- m. He looked inside of the brown house and it appeared to be vacant as there was no furniture inside of it.

22. On August 11th 2012 I read a transcript of an audio statement taken on August 10th 2012 by RCMP Cst Vanderrick of John Eckes at Priddis Valley Road. I have summarized the statement as follows:

- a. On August 10th 2012, at around 8:30 am or 9:00 am a Peace Officer driving a vehicle similar to a suburban asked him where Trevor was.
- b. He was at the property with owner Bruce Adams.
- c. The brown house is empty, no one lives there.
- d. He did not see Trevor on August 10th 2012.
- e. Trevor lives in with his dogs in a Quonset.
- f. Bruce Adams told him that Trevor had been living on the property for a couple of months.
- g. After he saw the Peace Officer he and Bruce Adams fixed a tire on a bobcat.

- h. Bruce Adams took the tire to Calgary to get it replaced or repaired.
- i. Bruce Adams told him that the Peace Officer and Trevor had been fighting over the dogs for quite some time.
- j. Trevor has thirty dogs.
- k. He never saw the Peace Officer or Trevor leave.

23. On August 11th 2012 I read a transcript of an audio statement taken on August 10th 2012 by RCMP Cst Vanderrick of Bruce Adams at Priddis Valley Road. I have summarized the statement as follows:

- a. Trevor Kloschinsky used to live in the house at the location but it flooded and the house got condemned.
- b. Mr. Kloschinsky was leasing his Quonset to store his dogs.
- c. Mr. Kloschinsky may have 30 dogs in the Quonset.
- d. He got to the location at 8:30 am.
- e. He did not see Mr. Kloschinsky at all on August 10th 2012.
- f. John Eckes told him that a Peace Officer came to the property looking for Mr. Kloschinsky.
- g. He has spoken to the Peace officer several times about the municipal by-law regarding the number of dogs allowed on a property.
- h. There was an incident where one of Mr. Kloschinsky dogs had gone missing as a result Mr. Kloschinsky thought his dogs were being stolen and that the High River RCMP were involved.
- i. Mr. Kloschinsky is "kind of a loose cannon" and does not like having outsiders coming in the Quonset.
- j. A couple of months ago Mr. Kloschinsky had the Turner Valley Police Officer to the property because the Peace Officer was looking at the dogs and wanted him to wear a bio hazard suit.
- k. He has not seen Mr. Kloschinsky in two days.
- l. The Peace Officer seemed to be coming to the location every Thursday, harassing him.

- m. The M.D. has sent a bunch of letters regarding the dogs. The last one came on Wednesday or Thursday and it threatened legal action against him. He showed Mr. Kloschinsky the letter.

24. On August 11th 2012 I read a transcript of an audio statement taken on August 10th 2012 by RCMP Cst Vanderrick of Charles Caswell at Priddis Valley Road. I have summarized the statement as follows:

- a. The Caswell house faces the Quonset at the location.
- b. At approximately 10:00 am on August 10th 2012, he saw a white pick-up truck without a canopy pull up to the Quonset by a tractor and then pull away.
- c. He saw some movement but weren't able to make out what was happening.
- d. Trevor normally drives a jeep.
- e. The dogs are always barking and they heard them at 6:00 am on August 10th 2012.
- f. The Quonset is called the arena.

25. On August 11th 2012 I read a transcript of an audio statement taken on August 10th 2012 by RCMP Cst Vanderrick of June Caswell at Priddis Valley Road. I have summarized the statement as follows:

- a. On August 10th 2012 at around 10:00 am she saw a white half tone truck go in the Quonset area.
- b. Trevor was or someone was doing some forking with a pitch fork inside of the Quonset.
- c. She saw Trevor "shoving things."
- d. After about a half of an hour the truck left towards Priddis.
- e. Someone was in the Quonset the night before August 10th 2012.
- f. The "M.D. guy named Rod" will park his vehicle on their property and walk in because he is to go over to the Quonset.
- g. Trevor would hide when Rod would come to the property.

26. On August 11th, 2012 I was present during a telephone conference with the following members of the RCMP, Cst Parsons, Cpl Graham, Cst Wilkinson, Cpl Dehill, and Sgt Singleton. Cpl Dehill, had taken a statement from Mr. Kloschinsky. Cst Wilkinson monitored the statement. What Mr. Kloschinsky said during the statement was told to me by Cpl Dehill, Cst Wilkinson and Sgt Singleton. I have summarized what Cpl Dehill, Cst Wilkinson and Sgt Singleton told me as follows:

- a. He (Mr. Kloschinsky) has 34 dogs in kennels. Some of his dogs are guard dogs.
- b. He has had some dogs stolen.
- c. Last week he stole six pairs of handcuffs from an adult only store.
- d. He stole the handcuffs because he wanted to have the persons responsible for stealing his dogs prosecuted.
- e. He had recently spoken with a Cst Joel Logan and got the idea to take the matter of the stolen dogs into his own hands.
- f. He laid in the Quonset for three days to catch the person responsible for stealing his dogs.
- g. On August 10th 2012, Mr Lazenby had his hands on one of his dogs. He handcuffed Mr Lazenby to some safety chains in the Quonset so Mr. Lazenby couldn't get away. He used two sets of hand cuffs on Mr. Lazenby. He then got the vehicle and took Mr Lazenby to Calgary.
- h. Cpl Dehill showed a picture of the handcuffs on Mr Lazenby. Mr Lazenby recognized the handcuffs as his own.
- i. He described Mr. Lazenby as a fucking idiot.
- j. The whole idea of bringing Mr Lazenby to the police was to get some evidence.
- k. The Quonset is also known as the arena.
- l. There is a pair of handcuffs in his pants pocket in the Quonset.
- m. He has been living in the Quonset since having been evicted on July 31st 2012.
- n. He has had six dogs stolen and believes that Mr Lazenby is involved in a bootlegging scam.

- o. His face was dirty from having his face pushed into the ground.
 - p. There are drag marks inside of the Quonset.
27. On August 11th 2012, I read police reports on PROS respect to Trevor Kloschinsky. The following is a summary of what I read:
- a. Mr. Kloschinsky address as of April 25th 2012 is listed as 162061 Priddis Valley Road West Priddis Alberta.
 - b. Mr. Kloschinsky is listed in 13 occurrences.
 - c. On July 31st 2012, Mr. Kloschinsky made a complaint of a break and enter to the "arena." Five dogs were reportedly released from their kennels. The occurrence address was 162061 Priddis Valley Road West Priddis, Alberta. The complaint was investigated by Cst Logan.
 - d. Mr. Kloschinsky said that he resides in Calgary.
28. On August 11th 2012, I read a stop order notice dated May 4th 2012 directed to Mr. Bruce Adams with a legal land address of NW 26-22-3 WM5 to immediately remove all dogs and securing kennels to bring the current operation into compliance with the municipal government act and the MD of the foothills.

Application for a Sealing Order Section 487.3 (1) of the Criminal Code

29. An Order to seal is necessary for the following reason:
- a. The immediate release of this affidavit may compromise the nature and extent of the ongoing investigation. There is still evidence to be collected and processed. The investigation into the death of Mr. Lazenby is in its early stages. There has been a large amount of media attention to this matter.

Summary:

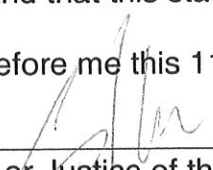
30. I believe that I warrant to search the dwelling house and rural property situated at 162061 Priddis Valley Road, Municipal District of Foothills #31, Alberta for the said things will afford evidence that Trevor Kloschinsky has committed the offence of murder contrary to Section 235 of the Criminal Code.
31. Based on the information outlined in this affidavit that the items to be searched are at the location.

32. If granted I am requesting that the warrant to search be executed on August 11th 2012 between 6:00 am and 9:00 pm.

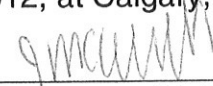
33. No prior application for a Search Warrant in this matter has been made.

Pursuant to Section 487.1 (3.1) of the Criminal Code, I state that I am a Peace officer and that all matters contained in this information are true to my knowledge and belief. I understand that this statement is deemed to be a statement made under oath.

Sworn before me this 11th day of August 2012, at Calgary, Alberta.


A Judge or Justice of the Peace
in and for the Province of Alberta

S. D. Wan
Justice of the Peace
in and for the Province of Alberta


Signature of informant (Cst McConnell) (53014) JM